

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA
v.

Heriberto Islas San Agustin

United States Courts
Southern District of Texas
FILED

CRIMINAL COMPLAINT

April 14, 2024

Case Number:

M-24-0627-M

Nathan Ochsner, Clerk of Court

IAE
Mexico

YOB: 1986

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about April 13, 2024 in Starr County, in
the Southern District of Texas

The Defendant being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Roma, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the Defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony).
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Heriberto Islas San Agustin was encountered by Border Patrol Agents near Roma, Texas, on April 13, 2024. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on April 12, 2024, near Roma, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on March 26, 2024, through Laredo, Texas. Prior to Deportation/Exclusion, the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA R. Guerra

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

April 14, 2024 3:12 pm

Nadia S. Medrano, U.S. Magistrate Judge
Name and Title of Judicial Officer

/s/ Jose A. Presichi
Signature of Complainant

Jose A. Presichi Border Patrol Agent


Signature of Judicial Officer